

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable James A. Ardaiz, Presiding Justice; Honorable Thomas A. Harris, Associate Justice; Honorable Herbert I. Levy, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F043676 Workmen's Auto Ins. Co. v. Hugo Forlini et al.

Cause called and argued by Allen Broslovsky, Esq., counsel for appellant and by Kurt Boyd, Esq., counsel for respondent.

Cause ordered submitted.

At this point Ardaiz, P.J. directs Harris, Acting P.J. to act as Presiding Justice in his absence, leaves the bench and is replaced by Gomes, J.

F043274 People v. Chapman

Cause called and argued by James R. Courshon, Esq., counsel for appellant and by Lloyd G. Carter, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

Court recessed until 11:00 A.M.

The court met in its courtroom at 11:00 A.M. Present: Honorable Herbert I. Levy, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F045688 Jill Q. v. Superior Court of Fresno County; Fresno County Dept. of Child. & Family Services

Cause called and argued by Jill Q., petitioner in propria persona and by Howard K. Watkins, Esq., Deputy County Counsel, counsel for real party.

Cause ordered submitted.

Court recessed until 1:30 P.M.

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The court reconvened in its courtroom at 1:30 P.M. Present:
Honorable Thomas A. Harris, Acting Presiding Justice; Honorable
Herbert I. Levy, Associate Justice; Honorable Gene M. Gomes,
Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Lisa
J. Prosser, Senior Deputy Clerk.

F041212 People v. Torres

Cause called and argued by Bradley Bristow, Esq., counsel for
appellant. Virna L. DePaul, Esq., Deputy Attorney General, counsel
for respondent waived oral argument.

Cause ordered submitted.

Court recessed until Friday, August 13, 2004 at 1:30 P.M.

**F045470 In re D.M. et al., Minors; Kern County Department of Human Services v.
Joseph M.**

Counsel having failed to request oral argument in accordance with
the provisions of a notice mailed to counsel, the cause is submitted for
decision.

F043873 People v. Arias
F045513 In re Irene V. Arias On Habeas Corpus

On its own motion, the court orders the captioned matters
consolidated solely for administrative purposes.

F044519 People v. Middleton

The above-entitled case is submitted for decision.

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F044519 People v. Middleton

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F043442 People v. Fuller

We reserve the finding that defendant suffered a prior serious felony conviction within the meaning of the Three Strikes Law based on his 1985 conviction for violating Penal Code section 246. The matter is remanded to the trial court for retrial of the strike or for resentencing if the People do not seek retrial. In all other respects, the judgment is affirmed. Vartabedian, Acting P.J.

We concur: Cornell, J.; Dawson, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044666 People v. Taylor

The above-entitled case is submitted for decision.

F044666 People v. Taylor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F044697 In re Colby R., a Minor

Appellant's petition for rehearing filed herein is denied.

F045793 Steven S. v. The Superior Court of Kern Co.; Kern Co. Dept. of Human Services

Pursuant to the terms of this court's order of August 4, 2004, and the failure of any party to request oral argument, the oral argument date of August 26, 2004, is vacated.

This matter is deemed submitted on the date of this order.

F042735 People v. Headspeth

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.